

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 6/18/2025
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NADEHZDA BUSTILLOS, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	1:25-cv-3556-GHW
	:	
-against-	:	<u>ORDER</u>
	:	
GBOLAGADE BABALOLA, D.O., <i>et al.</i> ,	:	
	:	
Defendants.	:	
-----X	:	

GREGORY H. WOODS, United States District Judge:

On June 18, 2025, counsel for Defendants filed a “Stipulation and Order of Dismissal.” Dkt. No. 10 (the “Proposed Order”). The Court declines to enter the Proposed Order for two principal reasons. First, the Proposed Order is signed by a person who represents himself to be counsel for Plaintiffs. But that lawyer has not entered a notice of appearance in this case, notwithstanding the Court’s prior direction that counsel for Plaintiffs do so. *See* Dkt. Nos. 4, 9. Second, counsel failed to comply with the Court’s Individual Rules of Practice, in particular Rule 1(F), which requires that parties submit a joint letter together with any proposed order or stipulation with certain exceptions which do not apply here.


The Court will consider entering the Proposed Order when the parties have complied with its prior orders and its Individual Rules of Practice. In the joint letter, the Court expects that counsel will explain how the parties can stipulate to the content of the order “pursuant to Federal Rule of Civil Procedure 41(a)(2),” as stated in the Proposed Order. Rule 41(a)(2), unlike Rule 41(a)(1), does not provide for stipulations by the parties, but rather, for dismissals by court order. Rule 41(a)(2) provides for dismissal of actions on “terms that the court considers proper.” In the

absence of the required joint letter or other support, the Court lacks information that would allow it to make that determination apart from the fact of the request.

Counsel for the United States in the Southern District of New York is expected to review and comply with the Individual Rules of Practice of judges within this district. The Court requests that counsel for the United States include in the joint letter an explanation for his failure to comply with the Court's Individual Rules of Practice as directed. *See* Dkt. No. 3.

SO ORDERED.

Dated: June 18, 2025
New York, New York


GREGORY S. WOODS
United States District Judge